



Montana Fish, Wildlife & Parks

10 December 2011

TO: CSKT Tribal Prosecutor's Office / Lawrence Ginnings

FR: MTFWP Game Warden Frank Bowen

RE: Jason Nash / Obstruction of Justice – Obstructing a Peace Officer – Conspiracy –
Tampering with Evidence

Subject:

JASON NASH
45531 Beaver Road
Ronan, MT. 59864
DOB: [REDACTED]
SSN: [REDACTED]
406-676-2444

Witnesses:

Frank Bowen
Montana State Game Warden
P.O. Box 967
Marion, MT 59925
406-250-2108
fbowen@mt.gov

Mike McElderry
CSKT Tribal Game Warden
CSKT Fish and Wildlife Enforcement Division
Box 278
Pablo, MT. 59855
406-261-3877
mmcelderry@cskt.org

Ryan Funke
DOB [REDACTED]

SSN:

OLN:

Note: Officer Ryan Funke refused to make statements to Investigators

Wade Nash

DOB:

SSN:

OLN:

Note: Officer Wade Nash has employed an Attorney to represent him and has refused to make any statements to Investigators

Mike Sargeant

DOB:

SSN:

OLN:

Note: Officer Mike Sargeant has refused to make statements to Investigators

DOB:

SSN:

OLN: ID

Mike Carlson

Levi Reid

Dan McClure

Terry Leonard

Those providing Statements / as needed

Brief:

Jason Nash is alleged to have violated state and Tribal Fish and Game laws since he moved to Poison in 1995. Statements from those with him when those laws were violated, and taxidermist records corroborate those allegations. A 2005 arrest of Jason Nash for fish and game violations in Oregon also validates some of these issues.

In 2005 FWP Game Warden Rick Schoening was provided with information concerning illegal activity on the part of Jason Nash, and Lake County Officer Mike Sargeant. This

information was provided to their supervisors by FWP to handle. In September of 2010, Jason Nash's supervisor, Former Tribal Police Chief Ron McCrea, claimed to have never heard of, or having been advised of the issue.

During his September 7th 2010 interview with FWP and Tribal Game Wardens, Jason Nash made materially false statements. Nash also admitted to conspiring with others to remove items from Mike Sargeant's residence that are potential evidence in this case.

Narrative:

On 07 September 2010, Tribal Game Warden Mike McElderry and Montana State Game Warden Frank Bowen interviewed Jason Nash at his home on Beaver Road near Ronan Montana. During that interview, Nash was very nervous and evasive, (See FWP Investigative Report / Jason Nash 07 September 2010). Before Nash terminated that interview, Nash made materially false statements to Investigators. Those statements are as following:

1. He had never hunted on the Flathead Reservation with Mike Sargeant or any other Non- Tribal member.
2. He either gave or sold to Mike Sargeant, all of the animal parts / mounts which Sargeant had in his possession. He gave or sold Sargeant no more, and nothing other than 4 or 5 deer, and 1 or 2 elk.
3. He did not give any wild game meat to Sargeant, (or others).

The evidence which makes us believe these statements were false includes:

False Statement 1. *He had never hunted on the Flathead Reservation with Mike Sargeant or any other Non- Tribal member.*

- Statement of Jason Nash's former wife, [REDACTED], (A non tribal member), that she hunted and took game on the reservation with Nash. [REDACTED] stated that they shared a duplex with Mike Sargeant and his wife, and that Sargeant and Jason hunted together illegally on the reservation on a regular basis. [REDACTED] stated that they hunted with a spotlight, and would often have to return the next day to retrieve the game they shot. (See [REDACTED] statement / 19 December 2010)
- Statement of Jason Nash's former wife, [REDACTED], (A non tribal member), that she often hunted on the reservation with Jason Nash, and they harvested game. [REDACTED] also stated that Jason often hunted on the reservation with Wade Nash and Mike Sargeant, and Jason's Parents from Oregon. (See [REDACTED] statement / 06 November 2010)
- Statement of former Lake County Deputy Grant Holly that he was dispatched to a call of spotlighting in which he found Officer Mike Sargeant and another man believed to be Jason Nash. (See Grant Holly statement / 03 November 2010)

- Statement of retired Game Warden Rick Schoening that he interviewed area farmers who claimed to have seen, and confronted, Nash and Sargeant while they were spotlighting on the reservation. (See Rick Schoening statement and case reports / 31 August 2010)
- Statement of taxidermist [redacted] that Jason Nash offered to take him hunting, but he would have to be willing to wear civilian clothing, (rather than hunting clothes), carry a camera and be willing to leave his rifle in the field if anyone saw them, (See [redacted] statement 03 September 2010)
- Statement of [redacted] that Jason Nash's father [redacted] told him that he had hunted on the reservation with Jason Nash, (See [redacted] statement / 05 December 2010)
- Statement of [redacted] that he and his son, [redacted] hunted with Nash from the Survival cabin in the Mission Mountain Wilderness. The area they described hunting on was within the Flathead Reservation. [redacted] stated that Jason's father, [redacted] told him about helping Jason and his mother, [redacted] on a Moose hunt in Montana. [redacted] is an employee of [redacted] (See [redacted] statement / 05 December 2010)
- Copy of CSKT Ordinance 44D definition of hunting, "Hunting" means to pursue wildlife for food, material or sport whether or not an actual taking is involved"

False Statement 2. *He either gave or sold to Mike Sargeant, all of the animal parts / mounts which Sargeant had in his possession. He gave or sold Sargeant no more than and nothing other than 4 or 5 deer, and 1 or 2 elk.*

- Statement of taxidermist [redacted] that Nash and Sargeant brought far more animals into his shop than the number of animals Nash stated in his interview, (See [redacted] statement 03 September 2010)
- Taxidermist records corroborating the large number of animals that Nash and Sargeant brought into his shop, including 2 black bears which Nash admitted to leaving one night at the taxidermist shop [redacted] * Jason told [redacted] that he could have the meat, but the meat was spoiled. Sargeant had the hides tanned and mounted. Those animals were tanned and mounted and paid for by Sargeant and believed to be among the items removed by Nash and Funke.
- Statement of taxidermist and meat processor [redacted] that Nash and Sargeant brought far more animals into his shop than the number of animals Nash stated in his interview, so many that Jason Nash had private access to the shop, (See [redacted] statement 03 September 2010)
- Taxidermist records corroborating the large number of animals that Nash and Sargeant brought into [redacted] taxidermy and meat cutting shop.
- Statement of [redacted] that Jason Nash brought in a large number of animals to be cut and wrapped, (See [redacted] statement / 29 October 2010)
- Statement of Tribal Warden Dan McClure corroborating that Jason Nash had private access to the taxidermist and meat cutting shop of [redacted] (See [redacted] statement 03 September 2010)

False Statement 3.

He did not give any wild game meat to Sargeant, or others.

- Statement of [redacted] that Jason Nash lived on the reservation with Wade Nash and Dan Duryee, (both non-tribal members), where they hunted together all the time, and ate what was harvested. [redacted] also stated that she picked up boxes of game meat from [redacted] taxidermy and meat processing shop. That meat she believed to belong to her husband, Dan Duryee, but in his interview, Dan Duryee stated he never took any animals to have it cut and wrapped. Dan Duryee stated that he always cut and wrapped his own game animals.
- Statement of [redacted] that she had picked up boxes of processed game meat for Mike Sargeant at Revais Meats in Dixon. Those boxes of processed game meat had the name Jason Nash on them. A review of that meat processors receipt books show that they never did any meat processing for Mike Sargeant.
- Statement of [redacted] (A non tribal member), that she often hunted on the reservation with her husband Jason Nash. They harvested game and had it turned into meat which they ate. [redacted] also stated that Jason often hunted on the reservation with Wade Nash and Mike Sargeant, and Jason's parents from Oregon.
- Statement of [redacted] that he received, some moose meat from Jason Nash's father, [redacted] in Oregon. [redacted] told [redacted] that the moose was taken while on a hunting trip in Montana with Jason. [redacted] stated that he had been told by [redacted] that he and his wife, often hunted in Montana with Jason, and that others from their area in Oregon had traveled to Montana to hunt with Jason as well. [redacted] also stated that he had been shown many pictures by [redacted] of the animals Jason had taken, and they numbered in the hundred. (See [redacted] statement / 05 December 2010)

Tampering with evidence.

In June 2010, Jason Nash and Ryan Funke removed mounted animal parts from the residence of Mike Sargeant. They did that at the request of Sargeant, and did not know why Sargeant wanted them removed. (according to Jason Nash)

- Statement of Terry Leonard, (and printed document confirming such), that on 14 June 2010, he received a reply from Mike Sargeant regarding a 02 June 2010 released document that, in part, tried to bring to light the alleged illegal activities of the Coyote Club. According to Leonard, within 48 hours of that e-mail, the alleged illegal wildlife mounts that were in Sargeant's home, were removed by Jason Nash and Ryan Funke. Subsequent interview would verify that removal.
- Statement of Jason Nash that he and Ryan Funke removed potential evidence from the residence of Mike Sargeant, (See Jason Nash Interview / 07 September 2010)
- Statement of Lake County Deputy Levi Reid that he had been told that Jason Nash and Ryan Funke removed game parts and mounts from the residence of

Mike Sargeant not long after learning of a potential investigation into the Coyote Club, (See Levi Reid interview / 09 September 2010)

- Statement of Lake County Patrol Sergeant Mike Carlson that Ryan Funke personally told him that he was going to remove the mounts from Mike Sargeant's home.

Interviews:

- Rick Schoening / 31 August 2010
- Jason Nash / 07 September 2010
- [REDACTED] / 06 November 2010
- [REDACTED] / 19 December 2010
- [REDACTED] / 03 September 2010
- Grant Holly / 03 November 2010
- [REDACTED] / 04 September 2010
- [REDACTED] / 03 September 2010
- [REDACTED] / 05 December 2010
- [REDACTED] / 05 December 2010
- [REDACTED] / 03 September 2010
- Mike Carlson / 09 September 2010
- Levi Reid / 09 September 2010
- Dan McClure / 07 September 2010
- Terry Leonard / 28 August 2010

Attachments:

- Case Report of Warden Rick Schoening / 20 April 2005
- Case Report Attachment / Written statement of Warden Rick Schoening
- FWP investigative Report of Warden Rick Schoening / 31 August 2010
- FWP Investigative Report / Interview of Jason Nash / 07 September 2010
- FWP Investigative Report / Interview of [REDACTED] / 06 November 2010
- FWP Investigative Report / Interview of [REDACTED] / 19 December 2010
- FWP Investigative Report / Interview of [REDACTED] / 03 September 2010
- FWP Investigative Report / Interview of Grant Holly / 03 November 2010
- FWP Investigative Report / Interview of [REDACTED] / 04 September 2010
- FWP Investigative Report / Interview of [REDACTED] / 03 September 2010
- FWP Investigative Report / Interview of [REDACTED] / 05 December 2010
- FWP Investigative Report / Interview of [REDACTED] / 05 December 2010
- FWP Investigative Report / Interview of [REDACTED] / 03 September 2010
- FWP Investigative Report / Interview of Dan McClure / 07 September 2010
- FWP Investigative Report / Interview of Mike Carlson / from recording WS500069
- FWP Investigative Report / Interview of Levi Reid / from recording WS500063
- FWP Investigative Report / Interview of Terry Leonard / 28 August 2010

- Copies of MCA Jason Nash is alleged to have violated
- Copy of specific Taxidermist records for Jason Nash and Mike Sargeant
- Copy of CSKT Tribal Ordinance 44D / Definition of Hunting
- Copy of Concerned Citizen E-mail by Mike Sargeant / Terry Leonard
- MATIC Subject Background sheets for witnesses: Ryan Funke / Wade Nash / Mike Sargeant /
- MATIC Criminal History for Jason Nash
- Investigation Of Tribal Officer Jason Nash letter sent to Chief Couture / cc
- Tip-Mont report # 24240

Summary for Charge 1 on Jason Nash:

1. **Charge:** OBSTRUCTING A PEACE OFFICER

Date: 07 SEPTEMBER 2010

Location: Ronan Montana

Statute: 45-7-302 MCA

45-7-302. Obstructing peace officer or other public servant. (1) A person commits the offense of obstructing a peace officer or public servant if the person knowingly obstructs, impairs, or hinders the enforcement of the criminal law, the preservation of the peace, or the performance of a governmental function, including service of process.

(2) It is no defense to a prosecution under this section that the peace officer was acting in an illegal manner, provided that the peace officer was acting under the peace officer's official authority.

(3) A person convicted of the offense of obstructing a peace officer or other public servant, including a person serving process, shall be fined not to exceed \$500 or be imprisoned in the county jail for a term not to exceed 6 months, or both.

Penalty: Misdemeanor

Evidence: During his interview with State and Tribal Investigators, Jason Nash made statements which can now be shown to be materially false. The evidence which leads us to that conclusion is as follows:

- Statement of Jason Nash's former wife, [REDACTED] (non tribal member), that she hunted and took game on the reservation with Nash. [REDACTED] stated that they shared a duplex with Mike Sargeant and his wife, and that Sargeant and Jason hunted together illegally on the reservation on a regular basis. [REDACTED] stated that they hunted with a spotlight, and would often have to return the next day to retrieve the game they shot. (See [REDACTED] statement / 19 December 2010)
- Statement of Jason Nash's former wife, [REDACTED] (A non tribal member), that she often hunted on the reservation with Jason Nash, and they harvested game. [REDACTED] also stated that Jason often hunted on the reservation with Wade Nash and Mike Sargeant, and Jason's Parents from Oregon. (See [REDACTED] statement / 06 November 2010)
- Statement of former Lake County Deputy Grant Holly that he was dispatched to a call of spotlighting in which he found Officer Mike Sargeant and another man believed to be Jason Nash. (See Grant Holly statement / 03 November 2010)
- Statement of retired Game Warden Rick Schoening that he interviewed area farmers who claimed to have seen, and confronted, Nash and Sargeant while they were spotlighting on the reservation. (See Rick Schoening statement and case reports / 31 August 2010)

- Statement of taxidermist [REDACTED] that Jason Nash offered to take him hunting, but he would have to be willing to wear civilian clothing, (rather than hunting clothes), carry a camera and be willing to leave his rifle in the field if anyone saw them, (See [REDACTED] statement 03 September 2010)
- Statement of [REDACTED] that Jason Nash's father, [REDACTED], told him that he had hunted on the reservation with Jason Nash, (See [REDACTED] statement 05 December 2010)
- Statement of [REDACTED] that he and his son, [REDACTED], hunted with Nash from the Survival cabin in the Mission Mountain wilderness. The area they described hunting on was within the Flathead Reservation. [REDACTED] stated that Jason's father, [REDACTED], told him about helping Jason and his mother, [REDACTED], on a Moose hunt in Montana. [REDACTED] is an employee of [REDACTED] (See [REDACTED] statement 05 December 2010)
- Copy of CSKT Ordinance 44D definition of hunting, "Hunting" means to pursue wildlife for food, material or sport whether or not an actual taking is involved"
- Statement of taxidermist [REDACTED] that Nash and Sargeant brought far more animals into his shop than the number of animals Nash stated in his interview, (See [REDACTED] statement 03 September 2010)
- Taxidermist records corroborating the large number of animals that Nash and Sargeant brought into his shop, including 2 black bears which Nash admitted to leaving one night at the taxidermist shop or Jason told [REDACTED] that he could have the meat, but the meat was spoiled. Sargeant had the hides tanned and mounted. Those animals were tanned and mounted and paid for by Sargeant and believed to be among the items removed by Nash and Funke.
- Statement of taxidermist and meat process [REDACTED] that Nash and Sargeant brought far more animals into his shop than the number of animals Nash stated in his interview, so many that Jason Nash had private access to the shop, (See [REDACTED] statement 03 September 2010)
- Taxidermist records corroborating the large number of animals that Nash and Sargeant brought into [REDACTED] taxidermy and meat cutting shop.
- Statement of [REDACTED] that Jason Nash brought in a large number of animals to be cut and wrapped, (See [REDACTED] statement 29 October 2010)
- Statement of Tribal Warden Dan McClure corroborating that Jason Nash had private access to the taxidermist and meat cutting shop of [REDACTED], (See [REDACTED] statement 03 September 2010)
- Statement of [REDACTED] that Jason Nash lived on the reservation with Wade Nash and Dan Duryee (both non-tribal members), where they hunted together all the time, and ate what was harvested. [REDACTED] also stated that she picked up boxes of game meat from [REDACTED] taxidermy and meat processing shop. That meat she believed to belong to her husband, Dan Duryee, but in his interview, Dan Duryee stated he never took any animals to [REDACTED] to have it cut and wrapped. Dan Duryee stated that he always cut and wrapped his own game animals.
- Statement of [REDACTED] that she had picked up boxes of processed game meat for Mike Sargeant at Revals Meats in Dixon. Those boxes of processed game meat had the name Jason Nash on them. A review of that meat processors receipt books show that they never did any meat processing for Mike Sargeant.
- Statement of [REDACTED] (A non tribal member), that she often hunted on the reservation with her husband Jason Nash. They harvested game and had it turned into meat which they ate. [REDACTED] also stated that Jason often hunted on the reservation with Wade Nash and Mike Sargeant, and Jason's parents from Oregon.
- Statement of [REDACTED] that he received, some moose meat from Jason Nash's father, [REDACTED], in Oregon. [REDACTED] told Travis that the moose was taken while on a hunting trip in Montana with Jason. Travis stated that he had been told by [REDACTED] that he and his wife, often hunted in Montana with Jason, and that others from their area in Oregon had traveled to Montana to hunt with Jason as well. [REDACTED] also stated that he had been shown many pictures by [REDACTED] of the animals Jason had taken, and they numbered in the hundred. (See [REDACTED] statement 05 December 2010)

Summary for Charge 2 on Jason Nash:

1. **Charge:** OBSTRUCTING JUSTICE
Date: 07 SEPTEMBER 2010
Location: Ronan Montana
Statute: 45-7-303 MCA

45-7-303. Obstructing justice. (1) For the purpose of this section "an offender" means a person who has been or is liable to be arrested, charged, convicted, or punished for a public offense.

(2) A person commits the offense of obstructing justice if, knowing another person is an offender, the person purposely:

- (a) harbors or conceals an offender;
 - (b) warns an offender of impending discovery or apprehension, except this does not apply to a warning given in connection with an effort to bring an offender into compliance with the law;
 - (c) provides an offender with money, transportation, weapon, disguise, or other means of avoiding discovery or apprehension;
 - (d) prevents or obstructs by means of force, deception, or intimidation anyone from performing an act that might aid in the discovery or apprehension of an offender;
 - (e) suppresses by act of concealment, alteration, or destruction any physical evidence that might aid in the discovery or apprehension of an offender; or
 - (f) aids an offender who is subject to official detention to escape from official detention.
- (3) A person convicted of obstructing justice shall be:
- (a) imprisoned in the state prison for a term not to exceed 10 years if the offender has been or is liable to be charged with a felony; or
 - (b) fined not to exceed \$500 or be imprisoned in the county jail for a term not to exceed 6 months, or both, if the offender has been or is liable to be charged with a misdemeanor.

Penalty: Felony

Evidence: Jason Nash Obstructed Justice by: 1. Knowingly attempting to deceive investigators about the illegal hunting activities of Mike Sergeant. 2. Knowing moving /concealing evidence that might aid in the apprehension of offender, Mike Sergeant.

The information which leads us to believe that the evidence moved / concealed was unlawfully obtained, and that Jason Nash attempted to deceive investigators through his statements, is as follows:

- Statement of Jason Nash's former wife, [REDACTED] (A non tribal member), that she hunted and took game on the reservation with Nash. [REDACTED] stated that they shared a duplex with Mike Sargeant and his wife, and that Sargeant and Jason hunted together illegally on the reservation on a regular basis. [REDACTED] stated that they hunted with a spotlight, and would often have to return the next day to retrieve the game they shot. Jason only shot trophy animals. (See [REDACTED] statement / 19 December 2010)
- Statement of Jason Nash's former wife, [REDACTED] (A non tribal member), that she often hunted on the reservation with Jason Nash, and they harvested game. [REDACTED] also stated that Jason often hunted on the reservation with Wade Nash and Mike Sargeant, and Jason's Parents from Oregon. They only harvested trophy animals. (See [REDACTED] statement / 06 November 2010)
- Statement of retired Game Warden Rick Schoening that he interviewed area farmers who claimed to have seen, and confronted, Nash and Sargeant while they were spotlighting on the reservation. (See Rick Schoening statement and case reports / 31 August 2010)
- Taxidermist records corroborating the large number of animals that Nash and Sargeant brought into his shop, including 2 black bears which Nash admitted to leaving one night at the taxidermist shop of [REDACTED]. Jason told [REDACTED] that he could have the meat, but the meat was spoiled. Sargeant had the hides tanned and mounted. Those animals were tanned and mounted and paid for by Sargeant and believed to be among the items removed by Nash and Funke.

The information which leads us to believe that Jason Nash moved / concealed physical evidence that might aid in the discovery or apprehension of offender Mike Sergeant, is as follows:

- Statement of Terry Leonard, (and printed document which shows), that on 14 June 2010, he received a reply from Mike Sargeant regarding a 02 June 2010 released document that, in part, tried to bring to light the alleged illegal activities of the Coyote Club. According to Leonard, within 48 hours of that e-mail, the alleged illegal wildlife mounts that were in Sargeant's home, were removed by Jason Nash and Ryan Funke.

- Statement of Jason Nash that he and Ryan Funke removed items from the residence of Mike Sargeant, and photos of the mounts removed, (See Jason Nash interview / 07 September 2010)
- Statement of Lake County Deputy Levi Reid that he had been told that Jason Nash and Ryan Funke removed game parts and mounts from the residence of Mike Sargeant not long after learning of a potential investigation into the Coyote Club, (See Levi Reid interview / 09 September 2010)
- Statement of Lake County Patrol Sergeant Mike Carlson that Ryan Funke personally told him that he was going to remove the mounts from Mike Sargeant's home. (See Mike Carlson interview / 09 September 2011)
- Statement of [REDACTED] that the guys, (officers), told her that if they ever got caught, they would say everything they had belonged to Jason Nash. Jason was tribal and could get away with anything. (See [REDACTED] interview / 04 September 2010)
- Statement of [REDACTED] that the Coyote Club members told her that if they got caught with an illegal animal, they would blame it on Jason Nash because he was Tribal. "Anything they got, they could say that Jason gave it to them", (See [REDACTED] interview / 03 September 2010).

Summary for Charge 3 on Jason Nash:

1. **Charge:** TAMPERING WITH OR FABRICATING PHYSICAL EVIDENCE

Date: Mid June 2010

Location: Polson Montana

Statute: 45-7-206 MCA

45-7-207. Tampering with or fabricating physical evidence. (1) A person commits the offense of tampering with or fabricating physical evidence if, believing that an official proceeding or investigation is pending or about to be instituted, the person:

(a) alters, destroys, conceals, or removes any record, document, or thing with purpose to impair its verity or availability in the proceeding or investigation; or

(b) makes, presents, or uses any record, document, or thing knowing it to be false and with purpose to mislead any person who is or may be engaged in the proceeding or investigation.

(2) A person convicted of tampering with or fabricating physical evidence shall be imprisoned in the state prison for a term not to exceed 10 years or be fined an amount not to exceed \$50,000, or both.

Penalty: Felony

Evidence: During our investigation, it was alleged and confirmed that big game animal parts / big game animal mounts were removed from the residence of suspect Mike Sargeant. These objects were removed at the same time that investigators were trying to determine the whereabouts of alleged illegally obtained / possessed big game animal part / mounts. This removal of potential evidence came after Mike Sargeant's friend / hunting partner, [REDACTED] was questioned regarding alleged felony wildlife violations in which Sargeant was named as a suspect, (See attached Tip-Mont Report), and after a publication was sent which questioned the alleged poaching activities of the Coyote Club. Sargeant was considered to be a member of the Coyote Club. Sargeant answered / made comments via e-mail to the publisher of those allegations, demonstrating his awareness of the allegations, (See attached e-mail from Sargeant). Shortly after that e-mail, Sargeant directed Jason Nash and Ryan Funke to remove that potential evidence from his, (Sergeant's), residence. It is our contention that these items were removed with the purpose to impair their

verity and availability to our investigation and subsequent proceedings. Evidence which leads us to these conclusions includes:

- Statement of Terry Leonard, (and printed document which shows), that on 14 June 2010, he received a reply from Mike Sargeant regarding a 02 June 2010 released document that, in part, tried to bring to light the alleged illegal activities of the Coyote Club. According to Leonard, within 48 hours of that e-mail, the alleged illegal wildlife mounts that were in Sargeant's home, were removed by Jason Nash and Ryan Funke. Subsequent interview would verify that removal.
- Statement of Jason Nash that he and Ryan Funke removed items from the residence of Mike Sargeant. Nash stated that he had given those mounts to Sargeant, but removed them at Sargeant's request (See Jason Nash Interview / 07 September 2010)
- Statement of Lake County Deputy Levi Reid that he had been told that Jason Nash and Ryan Funke removed game parts and mounts from the residence of Mike Sargeant not long after learning of a potential investigation into the Coyote Club. (See Levi Reid interview / 09 September 2010)
- Statement of Lake County Patrol Sergeant Mike Carlson that Ryan Funke personally told him that he was going to remove the mounts from Mike Sargeant's home. (See Mike Carlson interview / 09 September 2011)
- Statement of [REDACTED] that the guys, (officers), told her that if they ever got caught, they would say everything they had belonged to Jason Nash. Jason was tribal and could get away with anything. (See [REDACTED] interview / 04 September 2010)
- Statement of [REDACTED] that the Coyote Club members told her that if they got caught with an illegal animal, they would blame it on Jason Nash because he was Tribal. "Anything they got, they could say that Jason gave it to them", (See [REDACTED] interview / 03 September 2010).

Summary for Charge 4 on Jason Nash:

I. **Charge:** CONSPIRACY
Date: Mid June 2010
Location: Polson Montana
Statute: 45-4-102 MCA

45-4-102. Conspiracy. (1) A person commits the offense of conspiracy when, with the purpose that an offense be committed, the person agrees with another to the commission of that offense. A person may not be convicted of conspiracy to commit an offense unless an act in furtherance of the agreement has been committed by the person or by a coconspirator.

(2) It is not a defense to conspiracy that the person or persons with whom the accused has conspired:

- (a) has not been prosecuted or convicted;
- (b) has been convicted of a different offense;
- (c) is not amenable to justice;
- (d) has been acquitted; or
- (e) lacked the capacity to commit the offense.

(3) A person convicted of the offense of conspiracy shall be punished not to exceed the maximum sentence provided for the offense that is the object of the conspiracy.

Penalty: Felony

Evidence: On 29 March 2010, a Tip-Mont report was received which alleged illegal activity on the part of Lake County Reserve Deputy [REDACTED] and Lake County Detective Mike Sargeant, (also named as [REDACTED]). On 30 March 2010, the first interviews in that case were conducted. On 22 April 2010, interviews were

conducted with suspect [REDACTED] and some of his family members. On 27 May 2010, FWP investigators were contacted by witnesses expressing concerns of potential witness tampering on the part of Suspect [REDACTED]. [REDACTED] had strong ties to the Lake County Sheriff's Department and had made comments to witnesses which made them believe that [REDACTED] had tried to obtain information about them thru criminal background checks. On 02 June 2010, Terry Leonard sent a mass e-mail publication which, among other things, questioned the alleged illegal hunting activities of the Coyote Club. Mike Sergeant was considered to be a member of the Coyote Club. On 3 June 2010, FWP investigators applied for a search warrant to record the conversations between suspect [REDACTED] and a witness in that ongoing investigation. On 14 June 2010, Mike Sergeant replied via e-mail to the 02 June 2010 e-mail of Terry Leonard. Sergeant's only comment was to acknowledge the allegations of wildlife violations and that they should be directed to FWP. According to several interviews, it was before the end of June 2010, when Mike Sergeant directed Jason Nash and Ryan Funke to remove the wildlife parts / wildlife mounts from Sergeant's residence. It is our contention that Jason Nash conspired with Mike Sergeant and Ryan Funke to remove and conceal items from Sergeant's residence with the purpose to impair its verity and availability to our investigation and subsequent proceedings. The information which leads us to that conclusion includes:

- Statement of [REDACTED] (and printed document which shows), that on 14 June 2010, he received a reply from Mike Sergeant regarding a 02 June 2010 released document that, in part, tried to bring to light the alleged illegal activities of the Coyote Club. According to Leonard, within 48 hours of that e-mail, the alleged illegal wildlife mounts that were in Sergeant's home, were removed by Jason Nash and Ryan Funke. Subsequent interview would verify that removal.
- Statement of Jason Nash that he and Ryan Funke removed items from the residence of Mike Sergeant. Nash stated that he had given those mounts to Sergeant, and removed them at the direction of Sergeant (See Jason Nash Interview / 07 September 2010)
- Statement of Lake County Deputy Levi Reid that he had been told that Jason Nash and Ryan Funke removed game parts and mounts from the residence of Mike Sergeant not long after learning of a potential investigation into the Coyote Club, (See Levi Reid interview / 09 September 2010)
- Statement of Lake County Patrol Sergeant Mike Carlson that Ryan Funke personally told him that he was going to remove the mounts from Mike Sergeant's residence. (See Mike Carlson interview / 09 September 2011)
- Statement of [REDACTED] that the guys, (officers), told her that if they ever got caught, they would say everything they had belonged to Jason Nash. Jason was tribal and could get away with anything. (See [REDACTED] interview / 04 September 2010)
- Statement of [REDACTED] that the Coyote Club members told her that if they got caught with an illegal animal, they would blame it on Jason Nash because he was Tribal. "Anything they got, they could say that Jason gave it to them", (See [REDACTED] interview / 03 September 2010).
- [REDACTED] case Report which shows timeline leading up to the removal of those items from Sergeant's residence.

Coker, Clayton

From: Bowen, Frank
Sent: Thursday, October 14, 2010 10:38 AM
To: Ternes, Wayne; Coker, Clayton
Subject: FW: Tribal Council

Forward of request thru Tribal Fish & Game Chief.

If I get nowhere with this, I will go directly to the Tribal Council. Barring that, it might be the POST Council that has the only jurisdiction over his future as an Officer.

Frank Bowen
State of Montana Law Enforcement, (FWP)
To the Flathead Nation
P.O. Box 967, Marion, MT. 59925
406-250-2108
fbowen@mt.gov

From: Bowen, Frank
Sent: Thursday, October 14, 2010 9:41 AM
To: 'pabloe@cskt.org'
Cc: Anderson, Lee; 'Rick_Branzell@fws.gov'
Subject: Tribal Council

Good Morning Chief.

During the interview Branzell and I did with Craig Couture, he mentioned that Tribal Officer Jason Nash had at one time been summoned before members of the Tribal Council to explain past allegations of illegal hunting activity. Couture went on to mention that Nash easily explained away those allegations as false, and the issue went away.

I would like to once again give Officer Nash the opportunity to explain the allegations we have against him. That seems like a better venue than explaining them to POST.

What are your thoughts, and how do we make this happen?

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